

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TOWAKI KOMATSU,

Plaintiff,

-against-

THE CITY OF NEW YORK, *et al.*,

Defendants.

20-CV-10942 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on April 21, 2022, Magistrate Judge Lehrburger entered a report and recommending (“R&R”), recommending that the Court grant Defendants’ motion to dismiss, Dkt. 283;

WHEREAS as referenced in the R&R, “the parties have fourteen (14) days to file written objections” to the R&R, *id.* at 25;

WHEREAS pursuant to Rule 6 of the Federal Rules of Civil Procedure, a party that receives service by mail is allowed three additional days; and

WHEREAS on April 22, 2022, the R&R was mailed to the *pro se* Plaintiff;

WHEREAS on April 28, 2022, Plaintiff represented that he still had not received the R&R, Dkt. 293;

WHEREAS on April 28, 2022, the Court ordered Defendants to provide Plaintiff with an electronic copy of the R&R and to file proof of service on the docket, Dkt. 294;

WHEREAS the Court informed Plaintiff that his deadline to respond to the R&R is extended to 14 days from the date Defense counsel files proof of electronic service, *id.*; and

WHEREAS on May 2, 2022, Defense counsel filed proof of electronic service, Dkt. 302.

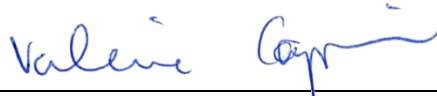
IT IS HEREBY ORDERED that Plaintiff's deadline to file any objections to the R&R is **Monday, May 16, 2022**. The Court will not extend that deadline further. Defendants' responses to the objections, if any, are due no later than **Monday, May 30, 2022**.

IT IS FURTHER ORDERED that, as emphasized in the R&R, failure to file timely objections will result in a waiver of objections and will preclude appellate review. *See* R&R, Dkt. 283 at 25.

The Clerk of Court is respectfully directed to mail a copy of this Order to the *pro se* Plaintiff and to note the mailing on the docket.

SO ORDERED.

Date: May 3, 2022
New York, NY



VALERIE CAPRONI
United States District Judge